

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

APR 27 2018

Clerk, U.S. Courts
District Of Montana
Missoula Division

UNITED STATES OF AMERICA,

CR 08-19-BU-DWM

Plaintiff,

vs.

ORDER

WILLIAM JAMES FEIGHT,

Defendant.

A final revocation hearing having been held on April 27, 2018, IT IS

ORDERED:

On the record as presented to United States Magistrate Judge Jeremiah Lynch, (*see* Notice, Doc. 88), the Court FINDS that that United States has not proven Violation No. 1 (alleging a violation of Standard Condition No. 7) by a preponderance of the evidence. Accordingly, the Amended Petition, (Doc. 71), is DISMISSED.¹

However, the defendant's special conditions of supervision are MODIFIED as follows, *see* 18 U.S.C. § 3583(e)(2), Fed. R. Crim. P. 32.1(c)(1):

1. The defendant shall participate in and successfully complete a program

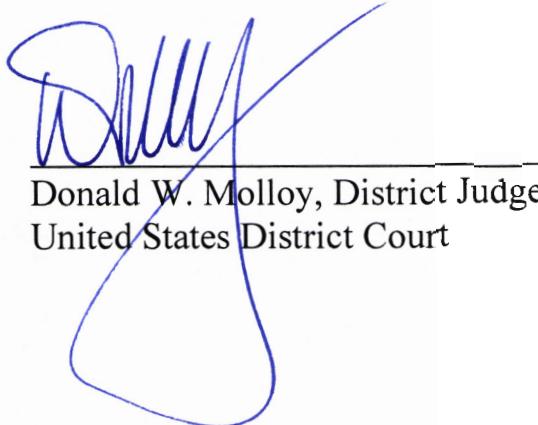
¹ Judge Lynch concluded that there was no probable cause as to Violation Nos. 2 and 3 so those violations are no longer at issue. (*See* April 12, 2018 Prelim. Hearing Transcript, Doc. 85 at 47.)

of substance abuse treatment as approved by the United States Probation Office, until the defendant is released from the program by the probation officer. The defendant is to pay part or all of the cost of this treatment, as directed by the United States Probation Office.

2. The defendant shall abstain from the consumption of alcohol and shall not enter establishments where alcohol is the primary item of sale. The defendant shall not knowingly enter any dwelling or house where there is the active or ongoing use, abuse or consumption of alcohol or controlled substances and shall not knowingly enter or stay in any dwelling or house where there is one or more persons who are consuming alcohol or participating in the consumption of alcoholic beverages or controlled substances, without the prior written approval of the supervising probation officer. The defendant shall not knowingly enter any automobile where a person possesses or is consuming alcohol or controlled substances.
3. The defendant shall participate in substance abuse testing to include not more than 180 urinalysis tests, not more than 180 breathalyzer tests, and not more than 36 sweat patch applications annually during the period of supervision. The defendant shall pay all or part of the costs of testing as directed by the United States Probation Office.
4. The defendant shall not possess, ingest or inhale any toxic substances such as, but not limited to, synthetic marijuana, kratom, and/or synthetic stimulants that are not manufactured for human consumption such as spice or bath salts, for the purpose of altering his mental or physical state.
5. The defendant shall not purchase, possess, use, distribute or administer marijuana, or obtain or possess a medical marijuana card or prescription
6. The defendant shall submit his person, residence, place of employment, vehicles, and papers, to a search, with or without a warrant by any probation officer based on reasonable suspicion of contraband or evidence in violation of a condition of release. Failure to submit to search may be grounds for revocation. The defendant shall warn any other occupants that the premises may be subject to searches pursuant to this condition. The defendant shall allow seizure of suspected contraband for further examination.
7. The defendant shall provide the United States Probation Office with any

requested financial information and shall incur no new lines of credit without prior approval of the United States Probation Office.

DATED this 27 day of April, 2018.



Donald W. Molloy, District Judge
United States District Court